

Exhibit 24

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST, et al.,
individually and on behalf of a class of
all others similarly situated,

Plaintiffs,

vs.

1:18-cv-00719-CCR

CITY OF BUFFALO, N.Y., et al.,

Defendants.

ORAL EXAMINATION OF MICHAEL QUINN

APPEARING REMOTELY FROM

ORANGE, CALIFORNIA

Friday, April 1, 2022

10:57 a.m. - 2:17 p.m.

pursuant to notice

REPORTED BY:

Luanne K. Howe

APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

1 A No, I do not.

2 Q Based on the forms for the different years that I
3 just showed you, we created a chart which summarizes
4 the numbers that has been marked as Exhibit 43.

5 A I'm sorry. I'm having trouble hearing you.

6 Q So we marked -- based on the forms that I just showed
7 you --

8 A I'm sorry. Your audio is cutting out on me.

9 MS. WILLIAMS: Can everyone else hear
10 me?

11 MR. SAHASRABUDHE: I can hear you fine,
12 Keisha. Why don't -- I think he answered
13 your last question. So why don't we wait for
14 him to unfreeze and then you can pose a
15 question with the new exhibit.

16 (Discussion held off the record.)

17 BY MS. WILLIAMS:

18 Q So based on the forms that we reviewed for 2015, 2016
19 and 2017, we used those numbers to create a chart and
20 I'm going to show you this chart which has been
21 marked as Exhibit 43.

22 So we summarized all the numbers based on the
23 directives we showed you. It shows that the vast

1 majority of checkpoint locations that you signed
2 between 2015 and 2017 were on the east side, correct?

3 MR. SAHASRABUDHE: Form.

4 A That's correct.

5 Q So the east side. Did you determine the checkpoint
6 locations that are listed in the Roadblock Directives
7 you signed?

8 A Yes, I did.

9 Q And would you say that that was the general practice
10 of the Strike Force Unit for lieutenants to determine
11 the locations of the checkpoints?

12 A Yes.

13 Q Based on your experience, was there a period of time
14 where the Strike Force Unit operated daily
15 checkpoints?

16 A Yes.

17 Q How were -- how did you determine the locations?

18 A Usually the area that we were patrolling would be the
19 area we'd do the checkpoints.

20 Q So based on that chart, it shows that you -- the
21 Strike Force Unit patrolled the east side more than
22 any other area in Buffalo?

23 A That's correct.

1 A In my opinion, yes.

2 Q Does the number of cars increase the chances of
3 officers being productive at checkpoints?

4 MR. SAHASRABUDHE: Form.

5 A If by "productive," you mean issuing more summonses,
6 then yes.

7 Q Was it the lieutenants' responsibility to fill the
8 overtime shifts?

9 A Yes.

10 Q Did you and the other lieutenants have the first
11 right of refusal for any overtime that came
12 available?

13 A It depended on the detail. If there was one
14 lieutenant, we'd try to share it fairly. But
15 technically, it would be the senior lieutenant's
16 option to take it.

17 Q Were you the senior lieutenant when you were with the
18 Strike Force?

19 A No, I was not.

20 Q Where were you as far as seniority among the four
21 lieutenants?

22 A I was number two.

23 Q And how did you decide which officers got overtime?

1 Q Did you work overtime?

2 A Yes.

3 Q Why did you choose to work overtime detail?

4 A Excuse me?

5 Q I'm sorry. Why did you choose to work overtime?

6 A To earn overtime pay.

7 Q And did officers get time and a half during overtime?

8 A Yes, they did.

9 Q And working overtime also gave officers the
10 opportunity to increase their pensions, correct?

11 A That's correct.

12 Q Was there a limit on how much overtime officers could
13 do each month?

14 A No, there was not.

15 Q What was your base pay when you joined the BPD?

16 A My very first year?

17 Q Yeah.

18 A It was 31,000.

19 Q And what was your base pay in 2017?

20 A I believe it was 200,000.

21 Q Your base pay was 200,000?

22 A Oh, base pay, no. Sorry. It was probably closer to
23 90,000.

1 Q And what was your base pay when you left the BPD?

2 A Base pay was probably right around there. I don't
3 think we got any raises those last few years.

4 Q I'm going to show you what has been marked as Exhibit
5 44. So this is an article from WIVB. It's called
6 "New York State Uncovered: Buffalo Police Salaries."
7 It's a long article, but I highlighted a few
8 sections.

9 The first section, it says, "In the 2016-2017
10 fiscal year, Buffalo Police budgeted \$11 million for
11 overtime costs." Do you see that?

12 A Yes.

13 Q Then the other highlighted portion said, "They
14 exceeded that number by more than \$2.6 million,
15 according to city budget records." Do you see that?

16 A Yes, I do.

17 Q The third highlighted section says, "Police officials
18 cite overtime as the most likely reason that BPD
19 employees Marlene Mott and Michael Quinn earned more
20 than \$200,000 in a single year." Do you see that?

21 A Yes, I do.

22 Q So that means you earned over \$200,000 in 2017,
23 correct?

1 A Well, they do the numbers from March to March, so it
2 would have been -- yeah, March of '16 to March of
3 '17, I believe.

4 Q And you earned -- and for that year, March to March,
5 you earned exactly \$222,000. Do you remember that?

6 A No, I don't. I believe I made \$202,000 during the
7 calendar year.

8 Q Okay. And that's almost twice your base salary of
9 almost 89,000, correct?

10 A Yes.

11 Q I'm going to stop share for a second. And you were
12 able to do that because of the daytime -- the summer
13 mostly daytime details, correct?

14 A That added to it. I also had many court appearances
15 throughout the year.

16 Q And were the court appearances related to traffic
17 violations and summonses?

18 A Some were. Other ones were related to criminal cases
19 that I assisted my officers with.

20 Q Okay. Do you have any idea of what percentage were
21 related to VTL violations and what percentage was for
22 criminal charges?

23 MR. SAHASRABUDHE: Form.

1 positive discipline?

2 A Yes. I mean, certain acts they wouldn't consider for
3 that. They'd make it a formal Internal Affairs case
4 to be, you know, decided either by a plea arrangement
5 or by a departmental hearing.

6 Q Okay. And on the occasions that you did make a
7 recommendation as to the discipline or the
8 disposition of a complaint, did you ever find out
9 whether that recommendation was accepted?

10 A Sometimes I did. Other times, they never really got
11 back to you about it.

12 Q And for more serious offenses, were you informed of
13 the ultimate outcome?

14 A Usually, not always.

15 Q Okay. And so even in cases where you submitted a
16 recommendation, you were not always informed of
17 whether or not your recommendation was accepted?

18 A They would open up a formal case, but they wouldn't
19 necessarily inform me of a decision.

20 Q Okay. I'm just going to go back to Exhibit 11, and
21 we're going to look at Section 2.4. I'm sorry. I
22 actually have the wrong -- okay.

23 So we're going to look at what has been marked

1 as Exhibit 46, Chapter 15, Section 2.4. It says
2 Section 2.4, "IAD shall coordinate the investigation
3 of disciplinary infractions. They may designate the
4 offending employee's command to conduct the
5 investigation of minor violations. The employee's
6 command will report the results of the investigation
7 to IAD and recommend appropriate remedial measures."
8 Do you see that?

9 A Yes.

10 Q It says that allegations -- "All major allegations
11 shall be investigated by IAD. Investigations that
12 are particularly complex or that involve allegations
13 of discrimination based on race, color, religion, sex
14 or natural origin, or that involve allegations of
15 sexual harassment, shall be investigated by IAD."

16 As a lieutenant, were you always informed of the
17 nature of allegations against officers that you
18 supervised?

19 A Not always.

20 MR. SAHASRABUDHE: Form.

21 Q If the officer faced serious allegations as pointed
22 out in Section 2.4, would you be informed of the
23 disposition of the complaint?

1 A If they were suspended, obviously, I'd be informed,
2 but not necessarily would they inform me of every
3 case they investigated.

4 Q Okay. And was there ever a time when a case was --
5 that a case that you submitted a recommendation for
6 that you felt was not handled appropriately by IAD?

7 MR. SAHASRABUDHE: Form.

8 A No, I did not feel that.

9 Q Okay. As a lieutenant, did you have access to the
10 disciplinary records of the officers under your
11 command?

12 A No, I did not.

13 Q I will stop share for a second. I'm going to
14 introduce what has been marked as Exhibit 45, but
15 before I do, are you familiar -- do you remember a
16 complaint by Najah Dunston of a 2016 incident? It's
17 a complaint against you and Police Officer Lopez. It
18 was an IAD --

19 A Was it from Theodore Street?

20 Q Hold on. It is marked "For Attorney Eyes" only, but
21 give me one second.

22 A I think I remember the complaint. I don't remember
23 her name, but that's possible.

1 STATE OF OHIO)
2 COUNTY OF CUYAHOGA)

3 I, Luanne K. Howe, Notary Public, in and for the
4 County of Cuyahoga, State of Ohio, do hereby certify:

5 That the witness whose testimony appears
6 hereinbefore was, before the commencement of his testimony,
7 duly sworn to testify the truth, the whole truth and nothing
8 but the truth; that said testimony was taken remotely
9 pursuant to notice at the time and place as herein set
10 forth; that said testimony was taken down by me and
11 thereafter transcribed into typewriting, and I hereby
12 certify the foregoing transcript is a full, true and correct
13 transcription of my shorthand notes so taken.

14 I further certify that I am neither counsel for
15 nor related to any party to said action, nor in any way
16 interested in the outcome thereof.

17 IN WITNESS WHEREOF, I have hereunto subscribed my
18 name and affixed my seal this 5th day of April, 2022.

19
20 
21 Luanne K. Howe
22 Notary Public - State of Ohio

23 My commission expires 10-07-24